

**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS**

PETER J. MILLER, an individual,
CLIFFORD HOYT, an individual, and
CAMBRIDGE RESEARCH AND
INSTRUMENTATION, INC.,
a Delaware corporation,

Plaintiffs,

v.

PATRICK TREADO, an individual, and
CHEMIMAGE CORP., a Delaware
corporation,

Defendants.

Civil Action No. 05-10367-RWZ

**JOINT MOTION TO AMEND
SCHEDULING ORDER**

Counsel for plaintiffs Cambridge Research and Instrumentation, Inc., Peter J. Miller, and Clifford Hoyt (collectively, "CRI"), and counsel for defendants ChemImage Corporation and Patrick Treado (collectively, "ChemImage") jointly move to amend the October 28, 2005 Scheduling Order [Docket Entry, "D.E.", 28] for this case in order to provide sufficient time to complete discovery. The amendments will result in moving each deadline forward by ninety days. The proposed scheduling order is attached (**Exhibit A**).

This request is not interposed for purposes of delay.

Specifically, the parties request the following amendments:

| Event | Previously Scheduled Dates | Proposed Dates |
|--|----------------------------|--------------------|
| Completion of fact discovery: deadline for: - completion of non-expert depositions - responses to all discovery requests | May 1, 2006 | August 1, 2006 |
| Identification of Experts (FRCP 26(a)(2)(A)) | May 15, 2006 | August 15, 2006 |
| Opening Expert Reports - i.e., for which the party has the burden of proof (FRCP 26(a)(2)(B)) | June 15, 2006 | September 15, 2006 |
| Rebuttal Expert Reports (FRCP 26(a)(2)(B)) | July 15, 2006 | October 15, 2006 |
| Completion of Expert Depositions | August 15, 2006 | November 15, 2006 |
| Filing and service of Motions for Summary Judgment | September 15, 2006 | December 15, 2006 |
| Filing and service of oppositions to Motions for Summary Judgment | October 6, 2006 | January 12, 2007 |
| Filing and service of replies to oppositions (5 page limit) | October 13, 2006 | January 19, 2007 |

Respectfully submitted,

**PETER J. MILLER,
CLIFFORD HOYT, and
CAMBRIDGE RESEARCH AND
INSTRUMENTATION, INC.**

By their attorneys,

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**PATRICK TREADO, and
CHEMIMAGE CORPORATION**

By their attorneys,

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Joint Motion
To Amend Scheduling Order

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DATED: March 14, 2006

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and a paper copy will be sent to those indicated as non-registered participants on March 14, 2006.

/s/ Teodor Holmberg
Teodor J. Holmberg (BBO# 634708)

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[PROPOSED] AMENDED SCHEDULING ORDER

It is hereby ordered that the following schedule will replace and supersede the Court's October 28, 2005 Scheduling Order [Docket Entry, "D.E.", 28]:

| Event | Dates |
|--|--------------------|
| Completion of fact discovery: deadline for: - completion of non-expert depositions - responses to all discovery requests | August 1, 2006 |
| Identification of Experts (FRCP 26(a)(2)(A)) | August 15, 2006 |
| Opening Expert Reports - i.e., for which the party has the burden of proof (FRCP 26(a)(2)(B)) | September 15, 2006 |
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Dated: _____, 2006

RYA W. ZOBEL
UNITED STATES DISTRICT JUDGE